

AMENDED IN ASSEMBLY MARCH 26, 2003
AMENDED IN ASSEMBLY FEBRUARY 6, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 56

**Introduced by Assembly Members Steinberg, Chan, Daucher,
and Liu**

(~~Coauthor: Assembly Member Daucher~~)

(Coauthors: Assembly Members Nakano and Pavley)

**(Coauthors: Senators Alpert and Karnette), Florez, Karnette, and
Ortiz.)**

December 2, 2002

An act to amend Sections 46112, ~~48000~~, and 48200 of, to add Sections ~~46112.1, 48000.1, and 48200.1~~ *46112.1 and 48200.1* to, and to add Article 6.5 (commencing with Section 8234.10) to Chapter 2 of Part 6 of, the Education Code, relating to children, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 56, as amended, Steinberg. Child care, development, and education.

(1) Existing law, commonly referred to as the Compulsory Education Law, subjects pupils between the ages of 6 and 18 to compulsory full-time education.

This bill would, instead, *at an unspecified future date*, subject pupils between the ages of 5 and 18 to compulsory full-time education, and would make conforming changes, including, ~~but not limited to~~, changes relating to ~~kindergarten services and~~ the full day of instruction. By

expanding the Compulsory Education Law, and by changing related crimes, this bill would impose a state-mandated local program.

(2) Existing law, the Child Care and Developmental Services Act, establishes various full- and part-time programs for a comprehensive, coordinated, and cost effective system of developmental services for children to age 14 and their parents. Existing law, the Kindergarten Readiness Pilot Program, permits, until January 1, 2011, school districts to permit school districts to participate in the program to provide kindergarten preparedness opportunities to increase a child's readiness for school.

This bill would establish ~~the School Readiness Program~~ *school readiness centers* to provide grants to applicant agencies to improve a young child's readiness for school and to improve a school's readiness for young children. The bill would establish a voluntary school readiness program for participating entities to offer voluntary ~~prekindergarten~~ *preschool* for all children from 3 to 4 years of age, inclusive, ~~and health and developmental screening 5 years of age and younger~~, and would continuously appropriate the annual sum of \$_____ for these purposes.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:



(1) A compelling body of scientific evidence demonstrates that children's first five years of development are crucial to their future success in school and in life. Educational opportunities must be provided during early childhood and must not be delayed until the child reaches five or six years of age.

(2) Low Academic Performance Index scores among children are most prevalent among low-income households. More than one-quarter of California's children under five years of age live in poverty. Research demonstrates that high-quality preschool experiences boost academic achievement in school, decrease grade retention, decrease special education placements, and increase graduation rates.

(3) In California, 39 percent of children come from homes in which a language other than English is spoken. Therefore, pathways to excellence must be created for all children while communicating respect and support for differences in their cultural origins.

(4) The Council of Chief State School Officers has found that efforts to reform and strengthen grades K–12 education cannot succeed without a concerted effort to support and improve programs that provide the care and education for our youngest children.

(5) The National Education Goals Panel has posited that a child's school readiness has five key dimensions:

(A) Children who benefit by good prenatal care, good nutrition, health monitoring, and early intervention, perform better in school.

(B) Children who have secure relationships with family members and peers can become self-confident learners.

(C) Children's attitudes toward learning, their ways of approaching new tasks, and their skills, all affect school success.

(D) Children with rich language experiences have the tools to interact with other people and articulate their thoughts, feelings, and experiences effectively.

(E) Children who have the opportunity to explore and learn from their surroundings can construct knowledge of patterns and relationships and discover ways to solve problems.

(6) The National Education Goals Panel has identified three objectives that reflect important foundations for children's school readiness:

1 (A) All children should have access to high quality and
2 developmentally appropriate preschool programs that help
3 prepare them for school.

4 (B) Every parent should be a child's first teacher and should
5 devote time each day to helping his or her preschool child learn.
6 To this end, parents should have access to the training and support
7 needed in order to help his or her preschool child learn.

8 (C) Children should receive the nutrition, physical activity, and
9 health care they need to arrive at school with healthy minds and
10 bodies and to maintain mental alertness. To this end, the number
11 of low birth weight babies should be significantly reduced through
12 enhanced prenatal care.

13 (7) There is a further compelling need in California to ensure
14 that early childhood development programs and services are
15 universally and continuously available for children so that
16 children enter school in optimum health and are emotionally well
17 developed and ready and able to learn.

18 (8) *During the formative years, some children show signs of*
19 *delayed development or of being at risk of delayed development.*
20 *Early intervention can often resolve developmental issues before*
21 *those children are enrolled in school.*

22 (9) Research indicates that in full schoolday kindergarten
23 programs, children spend more time in the types of learning
24 activities that lead to improved achievement. Children in those
25 programs experience higher standard scores in reading and math,
26 less grade retention, and better attendance.

27 (b) Therefore, it is the intent of the Legislature to provide:

28 (1) ~~Universal~~ *Voluntary universal* preschool programs that
29 offer group experiences, developmentally appropriate curricula,
30 and allow for a seamless integration to K–12 education for all
31 children three and four years of age.

32 (2) School Readiness Centers and programs at *or near* all
33 low-performing schools, building on the School Readiness
34 Initiative established by the California Children and Families
35 Commission. The state should establish neighborhood-based
36 School Readiness Centers to give families access to essential
37 services to meet young children's developmental needs.

38 (3) Full day compulsory kindergarten for all children. The state
39 should provide for the phasing in of full-schoolday kindergarten,
40 beginning immediately, for children in high-risk communities as

determined by the lowest 3 deciles of the Academic Performance Index and then annually expanding thereafter to include all California children.

(4) A seamless integration of early childhood education programs to K–12 education.

(5) *Health and developmental screenings and assessments for children. The state should provide for the phasing in of universal access to health and developmental screenings beginning at birth for the purpose of identifying children with physical disabilities, developmental delay, or extraordinary learning needs, so that early intervention plans may be created.*

SEC. 2. Article 6.5 (commencing with Section 8234.10) is added to Chapter 2 of Part 6 of the Education Code, to read:

Article 6.5. School Readiness ~~Program~~

~~8234.10. (a) The School Readiness Program is hereby~~
8234.10. *For purposes of this article, the following definitions shall apply:*

(a) *“Applicant” means a local educational agency.*

(b) *“High-risk community” means the attendance boundaries of a school that ranked in the lowest three deciles of the most recent Academic Performance Index.*

(c) *“School readiness program” means a program that is comprised of all of the following essential and coordinated elements:*

(1) *Early care and education services and kindergarten transition programs.*

(2) *Parenting and family support services.*

(3) *Health and social services.*

(4) *Preparation of children and families for school success.*

(5) *Program infrastructure, administration, and evaluation.*

8234.12. (a) *A statewide system of school readiness centers is hereby established to improve the readiness of a young child for school and to the improve readiness of a school for young children, by doing all of the following:*

(1) *Restructuring and coordinating the delivery of quality early child care and education services.*

(2) *Enhancing and encouraging parental education, involvement, and support.*

(3) Establishing family friendly environments in school-based or school-linked settings.

(b) The State Department of Education shall administer this article. The department shall award grants to eligible applicants for the establishment of neighborhood-based school readiness centers to give children and their families access to services that are essential for ensuring that children are ready for their school experience by the time they attain the age of compulsory education.

8234.15. An applicant shall be given priority for funding under this article if it ~~meets any of the following criteria:~~

~~(a) It serves a population that is composed of at least 85 percent low-income children and families as measured by participation in free or reduced meal programs.~~

~~(b) It serves a population that is composed of at least 85 percent limited-English-proficient children and families.~~

~~(c) It serves a population that is composed of at least 85 percent pupils that reside in the geographical jurisdiction of a school that serves children 5 years of age or younger and their families who reside within the attendance boundaries of a school that ranked in the lowest 3 deciles in the most recent Academic Performance Index.~~

8234.20. A local school readiness program funded pursuant to this article shall meet all of the following criteria:

(a) It shall be designed to ensure a child's smooth transition between home, early child care/educational settings, and school settings by conforming its school readiness goals to the school readiness definition of the California Children and Families Commission, that includes, but is not limited to, all of the following factors:

(1) Physical well-being and motor development.

(2) Social and emotional development.

(3) Approaches to learning.

(4) Language development.

(5) Cognition and general knowledge.

(b) It shall be designed to ensure the readiness of a school for the smooth transition of a child into a school setting by establishing structures within component early care and education programs and elementary grades, designed to establish a pupil-centered environment focused on all of the following:

1 (1) Helping children learn.

2 (2) A commitment to the success of every child.

3 (3) Approaches that have been shown to raise achievement for
4 each pupil.

5 (4) A willingness to alter practices and programs if they do not
6 benefit children.

7 (c) It shall be designed to ensure that pupils and families have
8 access to services ~~and supports~~ in the community that contribute
9 to readiness of children for school success, including, but not
10 limited to, all of the following characteristics:

11 (1) Access to high-quality and developmentally appropriate
12 early care and education experiences *for children five years of age*
13 *or younger. In addition, a program may offer preschool for all*
14 *children three or four years of age who reside in a high-risk*
15 *community.*

16 (2) Access by parents to ~~training and support~~ *parenting and*
17 *family support services* that ~~allows~~ *allow* parents to be the first
18 teacher of the child and promotes healthy functioning families.

19 (3) *Access to health and social services, including screening*
20 *designed to identify early health and developmental needs.*

21 8234.25. (a) Grants for funding pursuant to this article *shall*
22 *be administered by the State Department of Education and* may not
23 exceed the sum of ____ dollars (\$____) per participating pupil for
24 the regular program.

25 ~~(b) In addition to the funds provided in subdivision (a), a~~
26 ~~program offering voluntary prekindergarten as set forth in~~
27 ~~subdivision (a) of Section 8234.30, shall receive the sum of ____~~
28 ~~dollars (\$____) per participating pupil.~~

29 8234.30. ~~(a) Entities participating in the school readiness~~
30 ~~program pursuant to this article may elect to offer voluntary~~
31 ~~prekindergarten for all children from three to four years of age,~~
32 ~~inclusive, participating in the school readiness program.~~

33 ~~(b)~~

34 8234.30. (a) (1) It is the intent of the Legislature to ~~expand~~
35 ~~the program so that establish~~ *voluntary prekindergarten services*
36 ~~will be available for all access to universal preschool to~~ children
37 from three to four years of age, inclusive, by 2014. *The State*
38 *Department of Education shall design and administer universal*
39 *preschool programs as school readiness programs as described by*
40 *Section 8234.20. It is the intent of the Legislature that the first*

1 *preschool programs be established in high-risk communities and,*
2 *to the extent possible, be linked with school readiness centers.*

3 ~~(e)~~

4 *(2) It is the intent of the Legislature to establish access to*
5 *universal health and development screening and assessment*
6 *services to all children five years of age or younger, by 2004. It is*
7 *the intent of the Legislature that the first screening and assessment*
8 *programs be established in high-risk communities and, to the*
9 *extent possible, be linked with school readiness centers.*

10 *(b) Notwithstanding Section 11340 of the Government Code,*
11 *the sum of ____ dollars (\$____) is hereby annually appropriated*
12 *from the General Fund to the State Department of Education for*
13 *the purposes of reimbursing local entities for the costs associated*
14 ~~*with the voluntary prekindergarten services pursuant to*~~
15 ~~*subdivision (a). with this article, not to exceed the sum of ____*~~
16 *dollars (\$____) per participating pupil for the costs associated*
17 *with voluntary universal preschool services.*

18 SEC. 3. Section 46112 of the Education Code is amended to
19 read:

20 46112. (a) The minimum length of each schoolday in grades
21 1, 2, and 3 in an elementary school, except in an opportunity
22 school, class, or program, is 230 minutes, except if the governing
23 board of a school district has prescribed a shorter length for the
24 schoolday because of the lack of school facilities that requires
25 double sessions, in which case the minimum length of each
26 schoolday in those grades is 200 minutes.

27 (b) This section is inoperative on ____.

28 SEC. 4. Section 46112.1 is added to the Education Code, to
29 read:

30 46112.1. (a) The minimum length of each schoolday in
31 kindergarten and grades 1, 2, and 3 in elementary schools, except
32 in an opportunity school, class, or program, is 230 minutes, except
33 if the governing board of a school district has prescribed a shorter
34 length for the schoolday because of the lack of school facilities that
35 requires double sessions, in which case the minimum length of
36 each schoolday in those grades is 200 minutes.

37 ~~(b) (1) This section shall become operative on January 1,~~
38 ~~2004, for all schools that ranked in the lowest decile on the~~
39 ~~Academic Performance Index immediately preceding January 1,~~

1 ~~2004, and shall be implemented commencing in the 2005-06~~
2 ~~school year.~~

3 ~~(2) This section is operative for all schools on _____ and shall~~

4 ~~(b) This section shall become operative on _____ and shall be~~
5 ~~implemented commencing in the 20____ school year.~~

6 ~~SEC. 5. Section 48000 of the Education Code is amended to~~
7 ~~read:~~

8 ~~48000. (a) (1) A child shall be admitted to a kindergarten at~~
9 ~~the beginning of a school year, or at any later time in the same year~~
10 ~~if the child will have his or her fifth birthday on or before~~
11 ~~December 2 of that school year.~~

12 ~~(2) A child who will have his or her fifth birthday on or before~~
13 ~~December 2 may be admitted to the prekindergarten summer~~
14 ~~program maintained by the school district for pupils who will be~~
15 ~~enrolling in kindergarten in September.~~

16 ~~(b) The governing board of any school district maintaining one~~
17 ~~or more kindergartens may, on a case-by-case basis, admit to a~~
18 ~~kindergarten a child having attained the age of five years at any~~
19 ~~time during the school year with the approval of the parent or~~
20 ~~guardian, subject to the following conditions:~~

21 ~~(1) The governing board determines that the admittance is in~~
22 ~~the best interests of the child.~~

23 ~~(2) The parent or guardian is given information regarding the~~
24 ~~advantages and disadvantages and any other explanatory~~
25 ~~information about the effect of this early admittance.~~

26 ~~(c) This section is inoperative on _____.~~

27 ~~SEC. 6. Section 48000.1 is added to the Education Code, to~~
28 ~~read:~~

29 ~~48000.1. (a) (1) A child shall be admitted to a kindergarten~~
30 ~~at the beginning of a school year, or at any later time in the same~~
31 ~~year if the child will have his or her fifth birthday on or before~~
32 ~~September 1 of that school year.~~

33 ~~(2) A child who will have his or her fifth birthday on or before~~
34 ~~December 2 may be admitted to the prekindergarten summer~~
35 ~~program maintained by the school district for pupils who will be~~
36 ~~enrolling in kindergarten in September.~~

37 ~~(b) The governing board of any school district maintaining one~~
38 ~~or more kindergartens may, on a case-by-case basis, admit to a~~
39 ~~kindergarten a child having attained the age of four years at any~~

~~time during the school year with the approval of the parent or guardian, subject to the following conditions:~~

~~(1) The governing board determines that the admittance is in the best interests of the child.~~

~~(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.~~

~~(c) (1) This section shall become operative on January 1, 2004, for all schools that ranked in the lowest decile on the Academic Performance Index immediately preceding January 1, 2004, and shall be implemented commencing the 2005-06 school year.~~

~~(2) This section is operative for all schools on _____ and shall be implemented commencing the 20____ school year.~~

~~SEC. 7.~~

SEC. 5. Section 48200 of the Education Code is amended to read:

48200. (a) Each person between the ages of 6 and 18 years not exempted under this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district in which the residence of either the parent or legal guardian is located.

(b) Unless otherwise provided in this code, a pupil shall not be enrolled for less than the minimum schoolday established by law.

(c) This section is inoperative on January 1, ____.

~~SEC. 8.~~

SEC. 6. Section 48200.1 is added to the Education Code, to read:

48200.1. (a) Each person between the ages of 5 and 18 years not exempted under this chapter or Chapter 3 (commencing with

Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under Chapter 3 (commencing with Section 48400) shall attend the public full-time kindergarten, day school, or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time kindergarten, day school, or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district in which the residence of either the parent or legal guardian is located.

(b) Unless otherwise provided in this code, a pupil shall not be enrolled for less than the minimum schoolday established by law.

(c) (1) This section shall become operative on January 1, 2004, for all schools that ranked in the lowest decile on the Academic Performance Index immediately preceding January 1, 2004, and shall be implemented commencing the 2005–06 school year.

(2) This section is operative for all schools on January 1, ____, and shall be implemented commencing the 20__–__ school year.

SEC. 9.

SEC. 7. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars

- 1 (\$1,000,000), reimbursement shall be made from the State
- 2 Mandates Claims Fund.

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